

File: Former
Spouses

OGC 82-07630
18 August 1982

MEMORANDUM FOR: See Distribution

FROM:

Legislation Division, OGC

SUBJECT: Effective Date of Former Spouses Legislation

1. Conversations with congressional staff indicate that the effective date of the former spouses legislation will be on or about 17 November 1982.

2. You will recall that there had been a dispute between the House and Senate about the effective date. A compromise, however, has apparently been reached: the legislation will be effective on the day which is 90 days from the date the conference report on the legislation is printed. It is expected that the conference report will be printed sometime this week, probably today, 18 August. Hence, the effective date of the legislation will be sometime during the week of 15 November 1982, probably 17 November.

3. Behind the dispute about the legislation's effective date were two competing considerations. On the one hand, it was felt that the legislation should be effective as soon as possible in order that persons facing a divorce could avail themselves of its provisions. On the other hand, it was felt that the effective date should be delayed so that the Agency could have sufficient time to prepare the necessary regulations and procedures to implement it. The legislative compromise recognizes both concerns.

It does not give the Agency what it had originally requested, 90 days from the date of enactment into law, since with passage of the Authorization Bill expected in mid-September, the Agency will have only 60 days from the date of the Bill's enactment. The conferees note, however, that the conference version of the legislation will, for all intents and purposes, constitute the final version. Hence, from the printing of the conference report, the Agency in effect will have 90 days to prepare for the legislation, something akin to what was originally requested. Staff wished to stress this so that the Agency would not wait for final enactment of the Bill but would begin

to prepare for the legislation with the printing of the conference report.

4. To facilitate this, I will send you a copy of the report as soon as it is available.

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